

TOWN OF AVON
PLANNING & ZONING COMMISSION
RESOLUTION No. 09-01



**A RESOLUTION RECOMMENDING APPROVAL TO THE AVON
TOWN COUNCIL OF A PLANNED UNIT DEVELOPMENT (PUD)
APPLICATION FOR THE RED HOUSE ANNEXATION LOTS 1 &
2, EAGLE COUNTY, COLORADO**

WHEREAS, the Vail Corporation, represented by Rick Pylman of Pylman and Associates, has applied for a new Planned Unit Development (PUD) and concurrent Annexation for the "Red House" Exemption Plat, Lots 1 & 2, Eagle County, Colorado, pursuant to Section 17.20.110 of the Avon Municipal Code (AMC); as presented in the original application dated September 26, 2008;

WHEREAS, on December 2, 2008, the Town of Avon Planning and Zoning Commission unanimously recommended Approval of the proposed amendment to the 2006 Town of Avon Comprehensive Plan, specifically related to, and consistent with the this PUD Zoning application;

WHEREAS, Pursuant to the pertinent noticing procedures required by law, the Planning and Zoning Commission of the Town of Avon held public hearings on November 18, 2008; December 16, 2008; and January 6, 2009 - at which time the applicant was given an opportunity to present a proposal for a new PUD and hear feedback from both the Commission and members of the public, in addition to the written comments from Staff regarding this PUD request;

WHEREAS, The Planning and Zoning Commission was provided with Staff Reports at each of the aforementioned hearings which included pertinent support materials and which provided a thorough analysis of the technical zoning information as it relates to the applicable twelve PUD Design Criteria found in Section 17.20.110(h), AMC; *and*

WHEREAS, The Planning and Zoning Commission considered the following criteria when evaluating this application:

1. *Conformance with the 2006 Town of Avon Comprehensive Plan Goals and Objectives.*

2. *Conformity and compliance with the overall design theme of the Town, the sub-area design recommendations and design guidelines of the Town.*
3. *Design compatibility with the immediate environment, neighborhood, and adjacent properties relative to architectural design, scale, bulk, building height, buffer zones, character, and orientation.*
4. *Uses, activity, and density which provide a compatible, efficient, and workable relationship with surrounding uses and activity.*
5. *Identification and mitigation or avoidance of natural and/or geologic hazards that affect the property upon which the PUD is proposed.*
6. *Site plan, building design and location and open space provisions designed to produce a functional development responsive and sensitive to natural features, vegetation and overall aesthetic quality of the community.*
7. *A circulation system designed for both vehicles and pedestrians addressing on and off site traffic circulation that is compatible with the Town Transportation Plan.*
8. *Functional and aesthetic landscaping and open space in order to optimize and preserve natural features, recreation, views and function.*
9. *Phasing plan or subdivision plan that will maintain a workable, functional, and efficient relationship throughout the development of the PUD. The phasing plan shall clearly demonstrate that each phase can be workable, functional and efficient without relying upon completion of future project phases.*
10. *Adequacy of public services such as sewer, water, schools, transportation systems, roads, parks, and police and fire protection.*
11. *That the existing streets and roads are suitable and adequate to carry anticipated traffic within the proposed PUD and in the vicinity of the proposed PUD.*
12. *That the PUD or amendment to PUD requested provides evidence of substantial compliance with the following public purpose provisions, as outlined in Section 17.28.085 of the Avon Municipal Code (as follows):*

Zoning applications

The Town shall consider the following public benefit criteria when evaluating zoning applications:

- (1) The application demonstrates a public purpose which the current zoning entitlements cannot achieve.*
- (2) Approval of the zoning application provides long-term economic, cultural or social community benefits that are equal to or greater than potential adverse impacts as a result of the changed zoning rights.*
- (3) The flexibility afforded in approval of the zoning application will result in better siting of the development, preserving valued environmental and cultural resources and increasing the amount of public benefit consistent with the community master plan documents, and;*

WHEREAS, after holding a public hearing at their January 6, 2009 meeting, the Planning & Zoning Commission made the following **FINDINGS** with respect to the subject application (pursuant to Section 17.20.110(h) of the Avon Municipal Code):

1. The Planning and Zoning Commission finds this application in compliance with the PUD Review Criteria outlined in Section 17.20.110(h), AMC; *and*
2. The applicant has proposed 13% of the proposed units as affordable, satisfactorily addressing the Town's attainable housing component.

NOW, THEREFORE, BE IT RESOLVED, the Planning and Zoning Commission of the Town of Avon, Colorado, hereby makes a recommendation of **APPROVAL** to the Avon Town Council for the PUD application for Red House Annexation Lots 1 & 2, Eagle County Colorado, subject to the following **CONDITIONS**:

1. The property owner shall design and construct, at its sole expense, the path improvements along the riverside shore, as described in the letter from Rick Pylman of Pylman & Associates dated December 10, 2008 and depicted on the revised plans (Attachment E). The path shall be a minimum of 3.5 feet in width, with wider areas provided where possible; and the improvements reviewed and approved by the Town and completed prior to the issuance of a Temporary Certificate of Occupancy;

2. The property owner shall convey to the Town, in fee simple, the River Tract, as more specifically described in Attachment E (Conceptual Parcel Plan). The River Tract shall be conveyed prior to issuance of a building permit;
3. The property owner shall provide an affordable housing plan, which provides for a minimum of two deed-restricted, two-bedroom offsite units. The units will be bought in the price range affordable for a household earning between 160% and 180% of the Area Median Income (AMI), and the units will be sold at a price for a household earning between 120% and 140% of the AMI. The bare-minimum buy down will not be utilized (i.e. buy at 160% of the AMI, and market at 140% of the AMI);

The terms and conditions of the housing plan shall be reviewed and approved by the Town Council concurrent with the approval of the Annexation and Development Agreement;

4. A minimum aggregate of fifteen (15) Single Family Equivalencies (SFEs) shall be conveyed to the Town, in accordance with Chapter 16.24 of the Avon Municipal Code;
5. The form and content of the PUD Development Plan shall be reviewed and approved by staff prior to Council review;
6. Except as otherwise modified by this approval, all material representations made by the applicant or applicant representatives in this application and in public hearings shall be adhered to and considered binding conditions of approval;
7. At a minimum, the new planned crosswalk improvements are to match the Hurd Lane crosswalk design at Avon Road; *and*
8. The applicant will provide detail of significant improvement in Energy Conservation, Water Conservation, Material Resources, and River Ecology above and beyond standard building practices at the Sketch Review phase of this project.

ADOPTED AND REAFFIRMED THIS 20th DAY OF JANUARY, 2009

Signed:

Date: _____

Chair

Attest:

Date: _____

Secretary

TOWN OF AVON

SIGN DESIGN



January 20, 2009 Planning & Zoning Commission meeting

Report date January 20, 2009
Project type New Sign Face for an Existing Sign
Legal description Lot 13, Block 1, BMBC
Zoning I/C
Address 411 Metcalf Rd

Introduction

Michael Charles, representing Maximum Comfort Pool & Spa, Inc., is proposing a new sign face for an existing ground mounted freestanding sign. The proposed sign face is rectangular in shape and measures approximately thirty-two (32) square feet in area. The proposed sign face will be affixed to the existing freestanding sign for the previous tenant. The sign is to be constructed out of fiberboard and contain the company's logo and name of the business. Attached to this memo are a Vicinity Map (Exhibit A), picture of the proposed sign (Exhibit B), and site plan of the sign's location (Exhibit C).

Design Review Considerations

According to the Town of Avon Sign Code, Section 15.28.070, the Planning & Zoning Commission shall consider the following items in reviewing this application:

1. The suitability of the improvement, including materials with which the sign is to be constructed and the site upon it is to be located.

The materials for the proposed sign are appropriate and suitable for this type of use. The materials proposed are a fiberboard sign affixed to a wood sign structure. Since the sign was approved prior and the applicant is only proposing to replace the face of the sign, Staff has determined that the sign material is acceptable.

2. The nature of adjacent and neighboring improvements.

The neighboring properties have similar uses, but most buildings are more oriented towards the street and have building mounted signs. This sign is oriented towards the street. Since this sign location was already approved for a previous tenant, Staff determined that it is acceptable.

3. The quality of the materials to be utilized in any proposed improvement.

The Sign Code encourages "quality sign materials, including anodized metal; routed or sandblasted wood, such as rough cedar or redwood; interior-lit, individual plexiglass-faced letters; or three dimensional individual letters with or without indirect

lighting, are encouraged.” This sign is made of Fiberboard which is not specifically addressed as an acceptable sign materials in the code. Fiberboard is a durable material and should be acceptable due to the previous sign that was approved at this location. The sign structure is made of wood and is not a quality material, but once again it was previously approved and therefore is acceptable to Staff.

4. The visual impact of any proposed improvement, as viewed from any adjacent or neighboring property.

The sign will be visible from Metcalf Road. The applicant has not proposed any landscaping around the sign that would make it more attractive. Staff recommends that the applicant provide landscaping around the base of the sign to help lessen the visual impact of the sign on the passing vehicles that travel along Metcalf Road.

5. The objective that no improvement will be so similar or dissimilar to other signs in the vicinity that values, monetary or aesthetic, will be impaired.

There should be no monetary or aesthetic values impaired with the proposed signage.

6. Whether the type, height, size, and/or quality of signs generally complies with the Sign Code, and are appropriate for the project.

The type, height, and size of this sign comply with the Sign Code. As stated earlier the quality of the sign does not comply with the Sign Code, but Staff does find the sign materials acceptable due to the sign’s location and its previous approval.

The Sign Code does state that landscaping is required for all freestanding signs in a minimum of five (5) lineal feet around the perimeter of the sign. Staff recommends that the applicant comply with this regulation and provide Staff with a landscaping proposal for approval and installation around the sign.

7. Whether the sign is primarily oriented to vehicular or pedestrian traffic, and whether the sign is appropriate for the determined orientation.

The primary orientation of the proposed signage is to automobile traffic, which is appropriate given the location of the sign along Metcalf Road.

Recommendation

Staff recommends **CONDITIONAL APPROVAL** of the Sign Design application for the Maximum Comfort Pool & Spa sign on Lot 13, Block 1, Benchmark at Beaver Creek Subdivision as submitted.

Recommended Motion

“I move to approve the Sign Design application for the Maximum Comfort Pool & Spa sign on Lot 13, Block 1, Benchmark at Beaver Creek Subdivision, with the following condition:

1. The applicant provide a Landscape Plan to staff for approval and installation no later that Spring of 2009.

And with the following findings:

1. The sign design application meets the intent of the Sign Code, Title 15.28.”



If you have any questions regarding this project or any planning matter, please call me at 748.4023 or stop by the Community Development Department.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jared Barnes". The signature is fluid and cursive, with a large loop at the end.

Jared Barnes
Planner I